

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**TERRA TERSUS, LLC**

**Plaintiff,**

**vs.**

**XTO ENERGY, INC.**

**Defendant.**

§  
§  
§  
§  
§  
§  
§  
§

**CASE NO. 6:17-00697-RWS-KNM**

**LEAD CASE**

**JOINT MOTION FOR ENTRY OF AGREED DOCKET CONTROL ORDER**

Plaintiff Terra Tersus, LLC (“Plaintiff”) and Defendants XTO Entergy, Inc. and National Oilwell Varco, L.P. (collectively, “Defendants”) jointly submit an Agreed Proposed Docket Control Order, attached hereto as Exhibit A.

Dated: April 13, 2018

Respectfully submitted,

/s/ Andrew G. DiNovo

Andrew G. DiNovo  
Texas State Bar No. 00790594  
adinovo@dinovoprice.com  
Adam G. Price  
Texas State Bar No. 24027750  
aprice@dinovoprice.com  
Daniel L. Schmid  
Texas State Bar No. 24093118  
dschmid@dinovoprice.com  
Gabriel R. Gervy  
Texas State Bar No.  
ggervy@dinovoprice.com  
**DINOVO PRICE LLP**  
7000 N. MoPac Expressway, Suite 350  
Austin, Texas 78731  
Telephone: (512) 539-2626  
Facsimile: (512) 539-2627

/s/ Charles E. Phipps

Charles E. Phipps  
Texas State Bar No. 00794457  
cphipps@lockelord.com  
Paul D. Lein  
Texas State Bar No. 24070133  
plein@lockelord.com  
LOCKE LORD LLP  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201  
Telephone: (214) 740-8000  
Facsimile: (214) 740-8800

***COUNSEL FOR DEFENDANT  
XTO ENERGY, INC.***

/s/ Charles S. Baker

Charles S. Baker  
Texas State Bar No. 01566200

<b><i>COUNSEL FOR PLAINTIFF TERRA TERSUS LLC</i></b>	cbaker@lockelord.com LOCKE LORD LLP 600 Travis, Suite 2800 Houston, Texas 77002 Telephone: (713) 226-1200 Facsimile: (713) 223-3717  <b><i>COUNSEL FOR DEFENDANT NATIONAL OILWELL VARCO, L.P.</i></b>
--	--

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to FED. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on April 13, 2018.

/s/ Andrew G. DiNovo  
Andrew G. DiNovo